

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DEVON TERRELL ABNEY,

Plaintiff,

Case No. 23-10082-DT

v.

HON. DENISE PAGE HOOD

CITY OF DETROIT, DONALD R.  
PARKER, NICOLE J. SUMPTER,  
and JOHN DOE,

Defendants.

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**ORDER DENYING MOTION FOR RECONSIDERATION (ECF No. 10)**

This matter is before the Court on Plaintiff Devon Terrell Abney's Motion for Reconsideration. (ECF No. 10) The previously entered an Order Denying Motion for Relief from Judgment. (ECF No. 9)

The Local Rules of the Eastern District of Michigan provide that any motions for reconsideration may be brought if the movant can show that "[t]he court made a mistake, correcting the mistake changes the outcome of the prior decision, and the mistake was based on the record and law before the court at the time of its prior decision." E.D. Mich. LR 7.1(h)(2). A motion for reconsideration is not a vehicle to re-hash old arguments, or to proffer new arguments or evidence that the movant could have brought up earlier. *Sault Ste. Marie Tribe v. Engler*, 146 F.3d 367, 374 (6th Cir. 1998)(motions under

Fed.R.Civ.P. 59(e) “are aimed at *re* consideration, not initial consideration”)(citing *FDIC v. World Universal Inc.*, 978 F.2d 10, 16 (1st Cir.1992)).

Reviewing the Motion for Reconsideration and the previous Orders entered by this Court, the Court finds that Abney is merely rehashing his previous arguments which this Court rejected. The Court found in its March 28, 2024 Order that Abney failed to meet the “unusual and extreme situations where principles of equity mandate relief” standard for relief under Rule 60(b)(6). (ECF No. 9, PageID.89) As this Court noted, Abney’s claims were previously dismissed based on the applicable three-year statute of limitations under Michigan law. (*Id.* at PageID.90) Abney has not shown he is entitled to the relief requested.

Accordingly,

IT IS ORDERED that Plaintiff’s Motion for Reconsideration (ECF No. 10) is DENIED.

IT IS FURTHER ORDERED that any Appeal of this Order would be frivolous and would not be taken in good faith. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962).

s/Denise Page Hood  
DENISE PAGE HOOD  
United States District Judge

DATED: May 24, 2024